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PATENT-

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

KRAMMER, et al.

Application No. 09/402,569

Filed: October 1, 1999

For: **PROTEIN FOR INHIBITING  
APOPTOSIS**

Art Unit: To Be Assigned

Examiner: To Be Assigned

Attorney's Docket No: 35280046US00

**PRELIMINARY AMENDMENT****BOX NON-FEE AMENDMENT**Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Prior to substantive examination of the above-referenced Application, Applicants request entry of the following Preliminary Amendment.

It is believed that no fees are due in connection with this submission. However, if any fees are due, please charge them to Howrey & Simon's Deposit Account No. 08-3038.

**AMENDMENT****IN THE CLAIMS:**Please cancel claims 1-10.Please add new claims 11-22 as follows:

--11. (New) A protein suitable for inhibiting apoptosis, wherein the protein comprises the amino acid sequence of fig. 1 or an amino acid sequence differing therefrom by one or several amino acids, the DNA of the latter amino acid sequence hybridizing with the DNA of figure 1 under normal conditions.

12. The protein according to claim 1, comprising the amino acid sequence of fig. 2.

13. DNA coding for the protein according to claim 1, wherein the DNA comprises:  
(a) the DNA of fig. 1 or a DNA differing therefrom by one or several base pairs,  
(b) a DNA hybridizing with the DNA from (a), or